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8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11   IN RE BEXTRA AND CELEBREX   No. MDL 05-01699 CRB
     MARKETING, SALES PRACTICES AND
12   PRODUCT LIABILITY LITIGATION,   **ORDER RE: MOTION TO
                                                    WITHDRAW AS COUNSEL**
13   _____/

14   *This document relates to:*

15   Byron Arthur, 06-2682 CRB

16   _____/

17

18   Now pending for decision is the motion of the Bowersox Law Firm, P.C., and the Law

19   Offices of Daniel E. Becnel, Jr. to withdraw as counsel for plaintiff in the above matter.

20   After carefully considering the motion, and the supporting affidavit filed under seal,

21   the Court ORDERS PLAINTIFF TO SHOW CAUSE as to why (1) the motion of the

22   Bowersox Law Firm P.C. and the Law Offices of Daniel E. Becnel, Jr. to withdraw as

23   counsel of record should not be granted; and (2) plaintiff's lawsuit should not be dismissed

24   for a lack of prosecution. See Fed. R. Civ. P. 41. If plaintiff wishes to contest the

25   withdrawal of counsel and/or dismissal of plaintiff's lawsuit for failure to prosecute, plaintiff

26   shall notify the Court **in writing** on or before **August 30, 2007** of the reasons the withdrawal

27   should not be granted or the case dismissed. In particular, if plaintiff wishes to proceed with

28   this action, plaintiff shall advise the Court of the name and address of plaintiff's new counsel

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1   or, if plaintiff will be proceeding without a lawyer, plaintiff must advise the Court of how

2   the Court should contact plaintiff. In addition, plaintiff shall advise the Court as to whether

3   plaintiff has completed and served defendants with a plaintiff fact sheet and provided

4   defendants with authorizations for the release of medical records. Plaintiff is warned that

5   plaintiff's failure to communicate with the Court in writing as set forth above may result in

6   dismissal of plaintiff's claims with prejudice.

7   Plaintiff's counsel shall ensure that plaintiff receives a copy of this Order.

8   **IT IS SO ORDERED.**

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Dated: August 7, 2007

10   CHARLES R. BREYER
                                           UNITED STATES DISTRICT JUDGE

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United States District Court
For the Northern District of California